

**SAN ANTONIO ZONING COMMISSION
OFFICIAL MINUTES
March 17, 2009**

1. The Zoning Commission of the City of San Antonio met in the 1st Floor, Board Room of the Cliff Morton Development and Business Services Center at 1901 S. Alamo.

1:00 PM – Public Hearing

2. Roll Call.

PRESENT: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Myers, Wright, Gray
ABSENT: Westheimer, Martinez, R. Valadez

Chairman Gadberry stated Zoning Case No. Z2008014 has been postponed therefore no action will be taken.

COMBINED HEARING:

Commissioner Wright made a motion to approve the following rezoning cases with conditions and amendments as staff has recommended. Additionally, no citizens have signed to speak in opposition on the said cases: items 9, 10, 12 and 15. The motion was seconded by Commissioner Myers.

3. **ZONING CASE NUMBER Z2009042 (Council District 7):** A request for a change in zoning from "C-2" Commercial District to "C-3" General Commercial District on 8.76 acres out of NCB 18560, 7000 Block of Bandera. Staff recommends approval pending plan amendment.

Lucy Peveto, representative, stated they are proposing office warehouse on the subject property.

The following citizen(s) appeared to speak:

Ken Brown, spoke in support.

Staff stated there were 24 notices mailed out to the surrounding property owners, 0 returned in opposition and 7 returned in favor. Staff mailed 61 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Myers to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Myers, Wright, Gray
NAY: None

THE MOTION CARRIED

4. ZONING CASE NUMBER Z2009048 CD (Council District 3): A request for a change in zoning from "R-6" Residential Single Family District to "O-1 CD" Office District with a Conditional Use for a Day Care Center on the north 48 feet of Lot 3 and the north 8 feet of Lot A, Block 1, NCB 3267, 222 Pleasanton Road. Staff recommends approval.

Staff stated there were 21 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor. Staff mailed 17 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Myers to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Myers, Wright, Gray
NAY: None

THE MOTION CARRIED

5. ZONING CASE NUMBER Z2009060 CD (Council District 1): A request for a change in zoning from "R-4 NCD-2" Residential Single Family Alta Vista Neighborhood Conservation District to "R-4 CD NCD-2" Residential Single Family Alta Vista Neighborhood Conservation District with a Conditional Use to allow a four-family dwelling on Lot 7, NCB 6611, 125 Hess. Staff recommends approval.

Staff stated there were 49 notices mailed out to the surrounding property owners, 6 returned in opposition and 0 returned in favor and Alta Vista Neighborhood Association is in favor. Staff mailed 17 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Myers to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Myers, Wright, Gray
NAY: None

THE MOTION CARRIED

6. **ZONING CASE NUMBER Z2009066 (Council District 8):** A request for a change in zoning from "PUD MF-25 GC-1" Planned Unit Development Multi-Family Hill Country Gateway Corridor Overlay District and "PUD C-3 GC-1" Planned Unit Development General Commercial Hill Country Gateway Corridor Overlay District to "PUD MF-33 GC-1" Planned Unit Development Multi-Family Hill Country Gateway Corridor Overlay District (on 10.85 acres) and "PUD C-3 GC-1" Planned Unit Development General Commercial Hill Country Gateway Corridor Overlay District (on 0.2445 of an acre) on 11.0945 acres out of Lot 2, Block 3, NCB 16390, 25111 IH 10 West. Staff recommends approval.

Staff stated there were 10 notices mailed out to the surrounding property owners, 1 returned in opposition and 1 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner Myers to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Myers, Wright, Gray

NAY: None

THE MOTION CARRIED

7. Approval of March 3, 2009 Zoning Commission Minutes.

The motion was made by Commissioner Wright and seconded by Commissioner Hawkins to recommend approval.

(A verbal vote was taken)

All Commissioners voted in affirmative.

INDIVIDUAL CONSIDERATION:

8. **ZONING CASE NUMBER Z2009018 ERZD CD (Council District 10):** A request for a change in zoning from "MF-25 ERZD" Multi-Family Edwards Recharge Zone District to "C-2 ERZD" Commercial Edwards Recharge Zone District (1.69 acres) and "MF-25 ERZD CD" Multi-Family Edwards Recharge Zone District with a Conditional Use for an Office (15.39 acres) on 17.08 acres out of NCB 17725, 17120 Bulverde Road. Staff recommends approval of the request for "C-2 ERZD" on 1.69 acres and denial of the request for "MF-25 ERZD CD" on 15.39.

Ken Brown, representative, stated the purpose of this request is to allow for a restaurant and office or multi-family development on the subject property. He stated he has met with the 4 surrounding neighborhood associations and have express support of this request.

The following citizen(s) appeared to speak:

Elyzabeth Earnely, spoke in opposition.

Staff stated there were 14 notices mailed out to the surrounding property owners, 0 returned in opposition and 6 returned in favor.

COMMISSION ACTION

The motion was made by Commissioner McFarland and seconded by Commissioner Gray to recommend approval of the request for "C-2 ERZD" on 1.69 acres for constructing a restaurant and denial of the request for "MF-25 ERZD CD" on 15.39 acres.

AYES: McFarland, Sherrill, Hawkins, Myers, Wright, Gray

NAY: Gadberry, J. Valadez

THE MOTION CARRIED

9. ZONING CASE NUMBER Z2009063 (Council District 8): A request for a change in zoning from "R-6" Residential Single-Family District to "C-2" Commercial District on 1.556 acres out of NCB 14702, 9545 Huebner Road. Staff recommends approval.

Andy Guerrero, representative, stated he would like to request a continuance until May 5, 2009 to continue meeting with the neighborhood association.

Staff stated there were 18 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor. Staff mailed 12 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Sherrill and seconded by Commissioner Myers to recommend a continuance until May 5, 2009.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Myers, Wright, Gray

NAY: None

THE MOTION CARRIED

10. ZONING CASE NUMBER Z2009029 (Council District 8): A request for a change in zoning from multiple zoning districts to multiple zoning districts to add the Military Lighting Overlay District (MLOD) on all properties within three (3) miles of the exterior border of the Camp Bullis Training Site and within the City of San Antonio municipal boundary. Staff recommends approval.

City staff represented this case.

Phillip Riedinger, spoke in support.

The following citizen(s) appeared to speak:

Kathleen Murray, spoke in favor

June Kachtik, spoke in opposition.

Alan Cooper, representing Hidden Forest HOA, spoke in opposition. He stated he would like to request Hidden Forrest HOA be excluded from the MLOD.

Staff stated there were 22,779 notices mailed out to the surrounding property owners, 229 returned in opposition, 486 returned in favor 59 notices mailed out to the multiple neighborhood association – no response, 83 notices to stakeholders (to include neighborhood organizations and others requesting to receive information regarding the case. Additionally, staff created a website for e-comments and staff received 10 e-responses in favor and 5 received in opposition.

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Sherrill to recommend approval.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Myers, Gray

NAY: None

RECUSED: Hawkins, Wright

THE MOTION CARRIED

11. ZONING CASE NUMBER Z2009056 (Council District 7): A request for a change in zoning from “C-2” Commercial District to “C-3” General Commercial District on Lot 55 and Lot 56, Block 22, NCB 7508, 3851 Culebra Road. Staff recommends denial.

Rudy Wattiez, representative, stated the purpose of this zoning change is to allow for a bar on the subject property.

The following citizen(s) appeared to speak:

Teri Kilmer, representing Loma Park Neighborhood Association, stated they are in opposition of this request.

Staff stated there were 31 notices mailed out to the surrounding property owners, 0 returned in opposition and 0 returned in favor and Loma Park Neighborhood Association is in opposition.

COMMISSION ACTION

The motion was made by Commissioner Sherrill and seconded by Commissioner Wright to recommend denial.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Myers, Wright, Gray

NAY: None

THE MOTION CARRIED

12. **ZONING CASE NUMBER Z2009065 (Council District 5):** A request for a change in zoning from "I-1" General Industrial District to "C-2" Commercial District on Lot 6, Block 20, NCB 3685, 364 Castroville Road. Staff recommends approval.

Daisy Mendoza, representative, stated the purpose of this zoning request is to allow for a barber school on the subject property. She stated she would support a continuance.

The following citizen(s) appeared to speak:

Cynthia Diaz, spoke in opposition however would support "C-2NA".

Staff stated there were 18 notices mailed out to the surrounding property owners, 0 returned in opposition and 2 returned in favor and Prospect Hill Neighborhood Association is in favor.

COMMISSION ACTION

The motion was made by Commissioner J. Valadez and seconded by Commissioner Hawkins to recommend a continuance until April 7, 2009.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Myers, Wright, Gray

NAY: None

THE MOTION CARRIED

13. Briefing on the Jefferson Neighborhood Conservation District rezoning case.

Gary Edenburn, Senior Planner, presented item.

14. Consideration and recommendation on a proposed amendment to the Unified Development Code (UDC) related to live entertainment.

Chris Looney, Senior Planner, presented item.

Staff stated there were 18 notices mailed out to the surrounding property owners, 0 returned in opposition and 1 returned in favor and no response from Oakland Estates Neighborhood Association. Staff mailed 12 notices to the Planning Team.

COMMISSION ACTION

The motion was made by Commissioner Wright and seconded by Commissioner J. Valadez to recommend denial of the Unified Development Code Amendment related to taverns, live entertainment and cover charges as presented.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Myers, Wright, Gray

NAY: None

THE MOTION CARRIED

15. ZONING CASE NUMBER Z2009065 (Council District 5)

COMMISSION ACTION

The motion was made by Commissioner Gray and seconded by Commissioner Myers to recommend to reconsider Zoning Case No. Z2009065.

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Myers, Wright, Gray

NAY: None

THE MOTION CARRIED

Daisy Mendoza, representative, stated she would like to amend her request to "C-2NA".

COMMISSION ACTION

The motion was made by Commissioner J. Valadez and seconded by Commissioner Wright to recommend approval of "C-2NA"

AYES: Gadberry, McFarland, J. Valadez, Sherrill, Hawkins, Myers, Wright, Gray

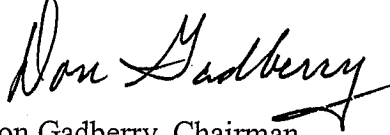
NAY: None

THE MOTION CARRIED

16. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 2:50 p.m.

APPROVED:


Don Gadberry, Chairman

ATTEST:


Executive Secretary